

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: CS/HB 615 Human Trafficking

SPONSOR(S): Criminal Justice & Public Safety Subcommittee, Overdorf and others

TIED BILLS: CS/CS/HB 617 **IDEN./SIM. BILLS:** CS/SB 1436

FINAL HOUSE FLOOR ACTION: 112 Y's 0 N's **GOVERNOR'S ACTION:** Pending

SUMMARY ANALYSIS

CS/HB 615 passed the House on March 2, 2022. The bill was amended in the Senate on March 4, 2022, and was returned to the House. The House concurred in the Senate amendment as amended by the House on March 10, 2022. The Senate concurred with the House amendment and subsequently passed the bill as amended on March 11, 2022.

Human trafficking is modern-day slavery involving exploitation of an adult by using fraud, force, or coercion, or exploitation of a minor or a person believed by the perpetrator to be a minor. The Statewide Council on Human Trafficking (Council) was created in 2014 to enhance the development and coordination of state and local law enforcement and social services responses to fight commercial sexual exploitation as a form of human trafficking and to support human trafficking victims. In 2019, the Legislature required a direct-support organization (DSO) to be created to provide assistance, funding, and support to the Council and authorized the DSO to contract with Florida's Forensic Institute for Research, Security, and Tactics (FIRST) which is required to develop specified human trafficking training, ready for statewide dissemination by October 1, 2019.

Foster parents and residential child-caring or child placement agencies are required to complete specified preservice and inservice training. Currently, training related to human trafficking is only required for foster parents seeking licensure as a safe foster home for victims of human trafficking and select agency staff, including child protective investigators, case managers, and their supervisors.

In Florida, firesafety inspectors are officially assigned the duties of conducting firesafety inspections in both new and existing buildings and facilities on a recurring or regular basis. Due to their unique position of consistently inspecting buildings, firesafety inspectors may be able to detect and report human trafficking if properly trained in recognizing indicators of human trafficking.

The bill amends s. 16.617, F.S., to require the Council to: assess the frequency and extent to which social media platforms are used to assist, facilitate, or support human trafficking within the state; establish a process to detect such use on a consistent basis; and make recommendations on how to stop, reduce, or prevent social media platforms from being used for such purposes. The bill also amends s. 16.618, F.S., to require the DSO to develop training for firesafety inspectors related to recognizing and reporting human trafficking and allows such training to be eligible for the continuing education credits required under s. 633.216(4), F.S., for a firesafety inspector to renew his or her certification. The bill also removes obsolete language which requires FIRST to develop specified training no later than October 1, 2019. Such training was developed by FIRST and is currently available online.

The bill amends s. 409.175, F.S., to require foster parents and all residential child-caring or child placement agency staff to complete specified training related to recognizing, preventing, and reporting human trafficking, including, at a minimum: basic information on human trafficking; factors and knowledge on how to identify children at risk of human trafficking; and how to prevent children from becoming victims of human trafficking. The bill also requires foster parents, before licensure renewal, and agency staff, during each full year of employment, to complete inservice training related to human trafficking. The Department of Children (DCF) and Families must develop the training materials or outsource the development to an agency approved trainer.

The bill may have an indeterminate fiscal impact on the DSO and DCF by requiring the development of new training related to human trafficking.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2022.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Background

Human trafficking is modern day slavery which involves transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, purchasing, patronizing, procuring, or obtaining another person for the purpose of exploiting that person.¹ A person may not knowingly, or in reckless disregard of the facts, engage in human trafficking, attempt to engage in human trafficking, or benefit financially by receiving anything of value from participating in a venture that has subjected a person to human trafficking for commercial sexual activity,² labor, or services:

- By using coercion;³
- Of a child younger than 18 or an adult believed by the person to be a child younger than 18;⁴ or
- If for commercial sexual activity, with a mentally defective⁵ or mentally incapacitated⁶ person.⁷

According to the United States Department of State, traffickers compel victims to engage in commercial sex and to work in both legal and illicit industries, including in hospitality, traveling sales crews, agriculture, janitorial services, construction, landscaping, restaurants, factories, care for persons with disabilities, salon services, massage parlors, retail services, fairs and carnivals, peddling and begging, drug smuggling and distribution, religious institutions, child care, and domestic work.⁸ In 2020, the National Human Trafficking Hotline received a total of 51,667 substantive phone calls, texts, webchats, emails, or online tip reports regarding human trafficking nationwide.⁹

Social media is often used by traffickers to recruit victims of human trafficking and increase trafficking operations.¹⁰ In particular, sex trafficking recruitment via social media has recently increased, especially since the beginning of the COVID-19 pandemic.¹¹ Recruiting victims online is typically considered less risky than recruiting victims in person.¹² Children and youth are contacted, recruited, and sold for sex on social media, as traffickers are able to lure them in with online friendships and then manipulate them into becoming victims.¹³ In 2019, Psychology Today reported that a recent survey of more than 1,000 American children between the ages of 13 and 17 found that 70 percent use social media several times

¹ S. 787.06(2)(d), F.S.

² Commercial sexual activity means any prostitution, lewdness, or assignation offense or attempt to commit such an offense, and includes a sexually explicit performance and the production of pornography. S. 787.06(2)(b), F.S.

³ S. 787.06(3)(a)2., (b), (c)2., (d), (e)2., and (f)2., F.S. Coercion includes: using or threatening to use force against a person; restraining, isolating, or confining a person without lawful authority and against his or her will, or threatening to do so; using lending or other credit methods to establish a debt by a person when labor or services are pledged as a security for the debt, if the reasonably assessed value of the labor or services is not applied toward the liquidation of the debt; destroying, concealing, removing, confiscating, withholding, or possessing any actual or purported passport, visa, other immigration document, or government identification document; causing or threatening to cause financial harm; enticing or luring a person by fraud or deceit; or providing a Schedule I or II controlled substance to a person for the purpose of exploiting that person. S. 787.06(2)(a), F.S.

⁴ S. 787.06(3)(a)1., (c)1., (e)1., (f)1., or (g), F.S.

⁵ Mentally defective means a mental disease or defect which renders a person temporarily or permanently incapable of appraising the nature of his or her conduct. S. 794.011(1)(a), F.S.

⁶ Mentally incapacitated means temporarily incapable of appraising or controlling a person's own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance administered without his or her consent or due to any other act committed upon that person without his or her consent. S. 794.011(1)(b), F.S.

⁷ S. 787.06(3)(g), F.S.

⁸ U.S. Department of State, Federal Response to Human Trafficking, *About Human Trafficking*, <https://www.state.gov/humantrafficking-about-human-trafficking/#profile> (last visited Mar. 21, 2022).

⁹ National Human Trafficking Hotline, *2020 National Hotline Annual Report*, <https://humantraffickinghotline.org/resources/2020-national-hotline-annual-report> (last visited Mar. 21, 2022).

¹⁰ Polaris, *Human Trafficking and Social Media*, [Human Trafficking and Social Media | Polaris \(polarisproject.org\)](https://polarisproject.org/human-trafficking-and-social-media) (last visited Mar. 21, 2022).

¹¹ Anderson, M., & Thompson, R., *Danger Warning! Social Media Sex Trafficking Recruitment is on the Rise since COVID Pandemic*, the DCF & Survive and Thrive Advocacy Center, Feb. 19, 2021, [Danger Warning! Social Media Sex Trafficking Recruitment is on the Rise since COVID 19 Pandemic \(Training Video\) \(usf.edu\)](https://www.usf.edu/danger-warning-social-media-sex-trafficking-recruitment-is-on-the-rise-since-covid-19-pandemic-training-video) (last visited Mar. 21, 2022).

¹² Withers, M., *Social Media Platforms Help Promote Human Trafficking, How Sex Trafficking is Bolstered by Social Media, and What to Do about It*, Nov. 22, 2019, [Social Media Platforms Help Promote Human Trafficking | Psychology Today](https://www.psychologytoday.com/us/blog/social-media-platforms-help-promote-human-trafficking) (last visited Mar. 21, 2022).

¹³ *Id.*

per day.¹⁴ The National Human Trafficking Hotline indicated that in 2019 there were 447 human trafficking situations in which the venue/industry of potential trafficking was an online ad,¹⁵ and 24 of those situations were received from Florida.¹⁶

Statewide Council on Human Trafficking

The Statewide Council on Human Trafficking (Council), within the Department of Legal Affairs (DLA), is tasked with:

- Developing recommendations for human trafficking victim programs and services, including certification criteria for safe houses and foster homes.
- Making recommendations for apprehending and prosecuting traffickers.
- Annually holding a statewide policy summit.
- Working with the Department of Children and Families (DCF) to create and maintain an inventory of human trafficking programs and services in each county.
- Developing policy recommendations.¹⁷

Membership on the Council includes:

- The Attorney General, or a designee, serving as chair.
- The Secretary of Children and Families, or a designee, serving as vice chair.
- The State Surgeon General, or a designee.
- The Secretary of Health Care Administration, or a designee.
- The executive director of the Department of Law Enforcement, or a designee.
- The Secretary of Juvenile Justice, or a designee.
- The Commissioner of Education, or a designee.
- One member of the Senate appointed by the President of the Senate.
- One member of the House of Representatives appointed by the Speaker of the House of Representatives.
- An elected sheriff appointed by the Attorney General.
- An elected state attorney appointed by the Attorney General.
- Two members appointed by the Governor, and two members appointed by the Attorney General, who have professional experience to assist the Council in the development of care and treatment options for human trafficking victims.¹⁸

DSO Supporting the Council – Florida Alliance to End Human Trafficking

A direct-support organization (DSO) is a non-profit organization authorized by statute to carry out specific tasks in support of a public entity or public cause. The function and purpose of a DSO is detailed in its enacting statute and the contract with the agency the DSO was created to support.¹⁹

In 2019, the Legislature required DLA to establish a DSO to provide assistance, funding, and support to the Council, and to assist in the fulfillment of the Council's purposes.²⁰ The DSO met for the first time in August 2019 and incorporated as the Florida Alliance to End Human Trafficking.²¹ The DSO is statutorily required to be:

¹⁴ *Id.*

¹⁵ 2020 National Human Trafficking Hotline Annual Report, <https://humantraffickinghotline.org/sites/default/files/National%20Report%20For%202020.pdf> (last visited Mar. 21, 2022).

¹⁶ 2020 National Human Trafficking Hotline Report for Florida, <https://humantraffickinghotline.org/sites/default/files/Florida%20State%20Report%20For%202020.pdf> (last visited Mar. 21, 2022).

¹⁷ S. 16.617, F.S.

¹⁸ *Id.*

¹⁹ Ss. 14.29(9)(a), 16.616(1), and 258.015(1), F.S. See also Rules of the Florida Auditor General, *Audits of Certain Nonprofit Organizations* (effective June 30, 2021), Rule 10.720(1)(b) and (d), https://flauditor.gov/pages/pdf_files/10_700.pdf (last visited Mar. 21, 2022).

²⁰ Ch. 2019-152, Laws of Fla.; S. 16.618, F.S.

²¹ Office of the Attorney General, *Statewide Council on Human Trafficking*, <http://myfloridalegal.com/pages.nsf/main/8aea5858b1253d0d85257d34005afa72> (last visited Mar. 21, 2022).

- A Florida not for profit corporation, incorporated under chapter 617, and approved by the Secretary of State;
- Organized and operated exclusively to solicit funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, invest, and administer, in its own name, property and funds; and make expenditures in support of the purposes specified under s.16.618, F.S.; and
- Certified by DLA, after review, to be operating in a manner consistent with the purposes of the DSO and in the best interests of the state.²²

The DSO's board of directors must be thirteen members, including:

- Two members appointed by the executive director of the Florida Department of Law Enforcement, both of whom must have experience and knowledge in the area of human trafficking.
- Three members appointed by the Attorney General:
 - One of whom must be a human trafficking survivor.
 - One of whom must be a mental health expert.
- Four members appointed by the President of the Senate.
- Four members appointed by the Speaker of the House of Representatives.²³

The DSO is authorized to contract with Florida's Forensic Institute for Research, Security, and Tactics (FIRST) to develop required training. The contract with FIRST must provide that the DSO may terminate the contract if FIRST fails to meet its obligations under s. 16.618(4), F.S. In addition, if FIRST ceases to exist, or if the contract between the DSO and FIRST is terminated, DLA must contract with another organization to develop the required training and information.²⁴

FIRST, which is managed by the Pasco County Sheriff's Office, is designed to train public safety leaders.²⁵ Section 16.618(4), F.S., requires FIRST to develop training focused on detecting human trafficking, best practices for reporting human trafficking, and the interventions and treatment for human trafficking survivors. In developing the training, FIRST must consult with law enforcement agencies, human trafficking survivors, industry representatives, tourism representatives, and other interested parties and conduct research to determine the reduction in recidivism attributable to the education of the harms of human trafficking for first-time offenders.²⁶ The training was required to be ready for statewide dissemination no later than October 1, 2019.²⁷ The training was developed, and can currently be accessed online.²⁸

Firesafety Inspectors

In Florida, a firesafety inspector is a person who holds a current and valid Fire Safety Inspector Certificate of Compliance issued by the Division of State Fire Marshal within the Department of Financial Services (DFS) under s. 633.216, F.S., and who is officially assigned the duties of conducting firesafety inspections of buildings and facilities on a recurring or regular basis on behalf of the state or any county, municipality, or special district with fire safety responsibilities.²⁹

Subject to a person meeting minimum qualifications, the Division of State Fire Marshal, Bureau of Firefighter Standards and Training issues certifications for Firesafety Inspector I and Firesafety Inspector II.³⁰ A Firesafety Inspector Certificate of Compliance is valid for four years from the date of its

²² S. 16.618(1), F.S.

²³ S. 16.618(3), F.S.

²⁴ S. 16.618(4)(a), F.S.

²⁵ FIRST, Florida's Forensic Institute for Research, Security, & Tactics, <https://www.floridafirsttraining.org/#/home> (last visited Mar. 21, 2022).

²⁶ S. 16.618(4)(b), F.S.

²⁷ 16.618(4)(b), F.S.

²⁸ Florida Alliance to End Human Trafficking, <https://fateht.vidcert.com/register> (last visited Mar. 21, 2022).

²⁹ S. 633.102(12), F.S.

³⁰ See s. 633.216(2), F.S.; Bureau of Fire Standards and Training, Division of State Fire Marshal, *Firesafety Inspector I Certification* (Jun. 8, 2021), <https://www.myfloridacfo.com/division/sfm/bfst/Documents/FiresafetyInspectorI.pdf> (last visited Mar. 21, 2022); and

issuance, and certification renewal is subject to completing an application for renewal and meeting the requirements for renewal as established or adopted by DFS rule or under ch. 633, F.S., which must include completing at least 54 hours of continuing education during the preceding four year period or successfully passing an examination established by DFS.³¹

Firesafety inspectors are typically responsible for inspections, re-inspections, and change-of-occupancy inspections in both new building construction and existing building construction for a variety of buildings and structures. Other duties may include, but are not limited to, ensuring fire safety equipment is installed and maintained properly and that firefighting, fire protection, and all other fire safety requirements are fulfilled in accordance with the Florida Fire Prevention Code, Florida Administrative Codes, county ordinances, and other adopted standards.³² Due to their unique position of regularly inspecting buildings, firesafety inspectors may be able to detect and report human trafficking if properly trained in recognizing common indicators of human trafficking.

Licensed Foster Care

Foster home placements are intended to provide a temporary, safe place for a child to live until he or she can be reunited with his or her family, is adopted by a family, or is otherwise placed permanently in a home. The recruitment, training, and licensure of foster parents is conducted by community-based care lead agencies that maintain contracts with DCF.³³ Foster parents are responsible for the care and well-being of a child placed with the parents, including maintaining the child's health, safety, and best interests and encouraging his or her emotional and developmental growth. Following placement, a foster child should be closely monitored by a case worker, who provides support and additional training related to special needs.³⁴

In 2019, Florida moved to a system of foster home licensing that consisted of five distinct levels: level I: Child-Specific Foster Home; level II: Non-Child Specific Foster Home;³⁵ level III: Safe Foster Home for Victims of Human Trafficking; level IV: Therapeutic Foster Home; and level V: Medical Foster Home.³⁶

Level I: Child-Specific Foster Home

A child specific licensed foster home is designed for relatives and nonrelatives who have an existing relationship with the child for whom they are seeking licensure. When a child is not able to safely remain at home with their parents, a family or like-family member who is willing and able to provide care for the child, is the next best alternative.³⁷

Level II: Non-Child Specific Foster Home

A non-child specific licensed foster home is intended for situations when placement with a relative or nonrelative caregiver is not possible. This licensure type is available to individuals in the community who may be interested in fostering.³⁸

Level III: Safe Foster Home for Victims of Human Trafficking

Bureau of Fire Standards and Training, Division of State Fire Marshal, *Firesafety Inspector II Certification* (Sept. 26, 2012), <https://www.myfloridacfo.com/division/sfm/bfst/Documents/FiresafetyInspectorII.pdf> (last visited Mar. 21, 2022).

³¹ S. 633.216(4), F.S., and Rules 69A-39.003, 69A-39.005, and 69A-39.009, F.A.C.

³² See Orange County Government Fire Rescue Department, *Fire Inspector I Fire Inspector Recruit*, <https://www.orangecountyfl.net/Portals/0/Library/Employment-Volunteerism/docs/Fire%20Inspector%20-CERT.pdf> (last visited Mar. 21, 2022). The Villages Fire Rescue Department, *Currently Recruiting for Fire Inspector*, <https://www.myfloridacfo.com/campaigns/firecollege/VillagesInsp.pdf> (last visited Mar. 21, 2022).

³³ DCF, *Lead Agency Map*, <https://www.myflfamilies.com/service-programs/community-based-care/lead-agency-map.shtml> (last visited Mar. 21, 2022).

³⁴ See s. 409.1415(2), F.S., for specific roles and responsibilities of foster parents.

³⁵ Homes previously considered "Traditional" foster homes are now categorized under Level II.

³⁶ DCF, *Levels of Foster Care Licensure*, <https://www.myflfamilies.com/service-programs/foster-care/levels.shtml> (last visited Mar. 21, 2022). See also, Florida FAPA, *Become a Foster Parent*, <https://floridafapa.org/become-a-foster-parent/> (last visited Mar. 21, 2022).

³⁷ *Id.*

³⁸ *Id.*

Safe foster home means a foster home certified by DCF to care for sexually exploited children.³⁹ This level of licensure is for individuals interested in providing a safe and stable environment for victims of human trafficking.⁴⁰

In addition to meeting standard licensing requirements, safe foster homes must meet certification requirements including:⁴¹

- Using strength-based and trauma-informed approaches to care;
- Providing care exclusively for one sex;
- Grouping child victims of commercial sexual exploitation by age or maturity level;
- Caring for child victims of commercial sexual exploitation in a manner that separates those children from children with other needs;
- Having awake staff on duty 24 hours a day;
- Providing appropriate security through facility design, hardware, technology, staffing, and siting; and
- Meeting other criteria established by DCF rule.

Level IV: Therapeutic Foster Home

This level of licensure is for caregivers who have received specialized training to care for a wide variety of children and adolescents who may have significant emotional, behavioral, or social needs. As a therapeutic foster parent, individualized care is provided in the home by the foster parent to ensure a child receives the appropriate level of care in the least restrictive setting.⁴²

Level V: Medical Foster Home

This licensure type is for caregivers who have received specialized training to provide care for children and adolescents with chronic medical conditions. Medical foster parents care for children from birth through age 20 with medically-complex conditions whose parents are unable to care for them in their own homes, and allow such children to live and receive care in a foster home rather than in a hospital or other facility setting.⁴³

Training Requirements for Foster Placement

DCF is required to provide or cause to be provided preservice training for prospective foster parents and inservice training for foster parents who are licensed and supervised by DCF.⁴⁴ In consultation with foster parents, each region or lead agency is required to develop a plan to make completing the required training as convenient as possible for potential foster parents, including strategies such as providing training in nontraditional locations and at nontraditional times. The plan must be revised at least annually and must be included in the information provided to each person applying to become a foster parent.⁴⁵

Before licensure renewal, each foster parent must successfully complete inservice training. Periodic time-limited training courses must be made available for selective use by foster parents and must include subjects related to the daily living experiences of a foster parent. DCF is required to reimburse foster parents participating in the required inservice training for travel expenses and, if attending the training results in the need for child care for the foster children in a home, DCF is required to provide child care or reimburse the foster parents for the child care costs incurred.⁴⁶

³⁹ S. 409.1678(1), F.S.

⁴⁰ DCF *supra*, note 36.

⁴¹ S. 409.1678(2)–(3), F.S.

⁴² S. 409.175(5)(a)4., F.S.

⁴³ S. 409.175(5)(a)4., F.S.

⁴⁴ S. 409.175(14), F.S.

⁴⁵ S. 409.175(14)(c), F.S.

⁴⁶ S. 409.175(14)(d), F.S.

Except in limited circumstances,⁴⁷ foster parents are required, as a condition of licensure, to successfully complete preservice training, which must be uniform statewide and include, but not be limited to, training in subjects such as:⁴⁸

- Orientation regarding agency purpose, objectives, resources, policies, and services;
- The role of the foster parent as a treatment team member;
- Transitioning a child into and out of foster care;
- Managing difficult child behavior that can be intensified by placement, prior abuse or neglect, or prior placement disruptions;
- Preventing placement disruptions;
- Caring for children at various developmental levels;
- The effects of foster parenting on the family of the foster parent; and
- Information about and contact information for the local mobile response team as a means for addressing a behavioral health crisis or preventing placement disruption.⁴⁹

The community-based care lead agencies must also ensure that foster parents of safe foster homes for victims of human trafficking and staff of safe houses complete intensive training regarding, at a minimum:

- The needs of child victims of commercial sexual exploitation;
- The effects of trauma and sexual exploitation; and
- How to address those needs using strength-based and trauma-informed approaches.⁵⁰

Additionally, foster parents who provide specialized residential placement for children who are victims of commercial sexual exploitation must receive 24 hours of specialized training in commercial sexual exploitation prior to receiving certification to care for such children,⁵¹ Specifically, the intensive training on commercially exploited children must include information relating to:

- Distinctions between sexual abuse, sexual exploitation, and sexual trafficking;
- Language and sensitivity;
- Pathways to entry into sexual exploitation and sexual trafficking;
- Exploiters;
- Tactics of coercion and control;
- Impact of sexual exploitation;
- Stockholm Syndrome and trauma bonding;
- Identifying victims;
- Meeting the needs of victims;
- Trauma triggers;
- Trauma-informed care;
- Vicarious trauma and self-care strategies;
- Behavior management activities; and
- Intersection of labor trafficking and commercial sexual exploitation.⁵²

Training for Agency Staff

For purposes of s. 409.175, F.S., the term “agency” means a residential child-caring agency or child placing agency.⁵³ A “residential child-caring agency” means any person, corporation, or agency, public or private, other than a child’s parent or legal guardian, that provides staffed 24-hour care for a child in a facility maintained for that purpose, regardless of whether operated for profit or whether a fee is

⁴⁷ Rule 65C-45.002, F.A.C. provides that, in limited instances, applicants who have completed a DCF approved preservice training curriculum within the last 5 years or who completed training in another state are exempt from completing certain pre-training requirements.

⁴⁸ S. 409.175(14)(b), F.S.

⁴⁹ Rule 65C-45.002, F.A.C., provides additional training topics.

⁵⁰ S. 409.1678(2)(e), F.S.

⁵¹ Rule 65C-43.004(2), F.A.C.

⁵² Rule 65C-43.004(4), F.A.C.

⁵³ S. 409.175(2)(a), F.S.

charged.⁵⁴ A “child-placing agency” means any person, corporation, or agency, public or private, other than the parent or legal guardian of the child or an intermediary acting pursuant to ch. 63, F.S., that receives a child for placement and places or arranges for the placement of a child in a family foster home, residential child-caring agency, or adoptive home.⁵⁵

Currently, only selected agency staff receive training on human trafficking. Child protective investigators and case managers, and their supervisors, must receive a minimum of six hours of specialized training on human trafficking approved by DCF prior to accepting cases with children or young adult victims of human trafficking.⁵⁶ The specialized training in human trafficking is required to be conducted by a DCF-approved trainer and consists of:

- Three hours of live training pertaining to human trafficking;
- One hour of live training pertaining to Legislative language addressing human trafficking; and
- Two hours of additional live training on specialized topics related to human trafficking of children.

Each year child protective investigators and case managers must receive a minimum of one hour of ongoing training per quarter on human trafficking or related topics in order to continue receiving cases involving child or young adult victims of human trafficking. Any professional administering the Human Trafficking Screening Tool (HTST) must meet the training requirements set forth in Rule 65C-43.005, F.A.C., and must have completed the DCF approved training for the HTST prior to administering the tool.⁵⁷ Similar to foster parents of safe foster homes, staff of safe houses must also complete intensive training.⁵⁸

Effect of the Bill

The bill amends s. 16.67, F.S., to require the Statewide Council on Human Trafficking, in addition to its other statutory duties, to:

- Assess the frequency and extent to which social media platforms are used to assist, facilitate, or support human trafficking within the state;
- Establish a process to detect such use on a consistent basis; and
- Make recommendations on how to stop, reduce, or prevent social media platforms from being used for such purposes.

The bill amends s. 16.618, F.S., to require the DSO, currently incorporated as the Florida Alliance to End Human Trafficking, to develop training specifically for firesafety inspectors related to recognizing and reporting human trafficking, and allows for such training to be eligible for the continuing education credits required under s. 633.216(4), F.S., for a firesafety inspector to renew his or her certification. The DSO may contract with FIRST to develop such training or develop the training on its own. The bill also removes obsolete language which requires FIRST to develop human trafficking training for statewide dissemination no later than October 1, 2019. Such training was developed and is currently available online. Under the bill, FIRST is still required to make such training available for statewide dissemination.

The bill amends s. 409.175, F.S., to require foster parents and all agency staff to complete preservice and inservice training related to recognizing, preventing, and reporting human trafficking. The preservice training must include the following topics, at a minimum:

- Basic information on human trafficking, such as an understanding of relevant terminology and the differences between sex trafficking and labor trafficking;
- Factors and knowledge on how to identify children at risk of human trafficking; and
- Steps that may be taken to prevent children from becoming victims of human trafficking.

⁵⁴ S. 409.175(2)(l), F.S.

⁵⁵ S. 409.175(2)(d), F.S.

⁵⁶ Rule 65C-43.005, F.A.C.

⁵⁷ Rule 65C-45.001, F.A.C.

⁵⁸ S. 409.1678(2)(e), F.S.

The bill requires foster parents, before licensure renewal, and agency staff, during each full year of employment, to complete inservice training related to human trafficking. DCF must develop the relevant training materials for the preservice and inservice training or outsource the development to an agency approved trainer.

The bill also reenacts s. 63.092(3)(e), F.S., to incorporate the changes made to s. 409.175, F.S., by the bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2022.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill may have an indeterminate fiscal impact on the DSO by requiring it to develop new human trafficking training for firesafety inspectors and on DCF by requiring it to develop new human trafficking training for foster parents and agency staff.